



10-15-01

AP/26/2/137
10-30-01

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): J. Rob Bowers

Docket No.

14531.110

Serial No.

09/896,733

Filing Date

June 29, 2001

Confirmation No.

9135

Examiner

unknown

Group Art Unit

2614

Invention: AGGREGATION OF STREAMING MEDIA TO IMPROVE NETWORK PERFORMANCE

I hereby certify that the Transmittal letter (2 pages) (in triplicate); Information Disclosure Statement (2 pgs); Form PTO-1449 Listing all Cited References (2 pgs); Legible Copies of Two (2) Cited References; and postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, DC 20231 on OCTOBER 11, 2001.

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EXPRESS MAIL LABEL NO.: EL 569 074 562 US

PATENT APPLICATION
Docket No.:14531.110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

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Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- X Form PTO-1449 list of two (2) references submitted for consideration.
- X Legible copies of the listed references or their relevant portions.
- All English translations of each nonenglish reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.



____ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.

____ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

____ Promptness Certification.

____ Check No. _____ in the amount of \$240.00 constituting submission fee under 37 C.F.R. 1.17(p);

____ Petition for Consideration and Check No. _____ in the amount of \$_____.

X In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Promptness Certification meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 11th day of OCTOBER, 2001.

Respectfully submitted,

RICK D. NYDEGGER
Attorney for Applicant
Registration No. 28,651



022913

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RDN:jrr

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A circular black ink stamp. The outer ring contains the text "OIPED" at the top and "OFFICE OF INTELLECTUAL PROPERTY & ECONOMIC DEVELOPMENT" at the bottom. In the center, the date "OCT 11 2001" is stamped. Above the stamp, the word "EXPRESS" is partially visible.

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Assistant Commissioner for Patents
Washington, D.C. 20231

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

1

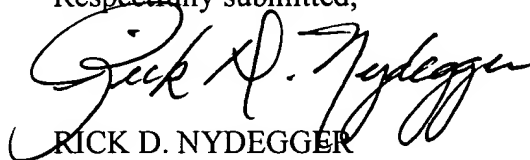
believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Please credit any over payment or charge any additional fees to Deposit Account No. 3-3178 of the undersigned.

Dated this 11th day of OCTOBER, 2001.

Respectfully submitted,



RICK D. NYDEGGER
Attorney for Applicant
Registration No. 28,651



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PATENT TRADEMARK OFFICE

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EXPRESS MAIL LABEL NO.: EL 569 074 562 US

Form PTO-1449

Sheet 1 of 2

Applicant: J. Rob Bowers

Serial No.: 09/896,733

Att'y Docket No.: 14531.110

Filing Date: June 29, 2001

Group: 2614

Confirmation No.: 9135

For: AGGREGATION OF STREAMING MEDIA TO IMPROVE NETWORK PERFORMANCE



INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

Other Documents

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OCT 17 2001
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(including author (if listed), title, relevant pages, date of publication including at least month and year).

Examiner

Initial*

- _____ A1. Arlitt, Martin; Friedrich, Rich; and Jin, Tai; WORKLOAD CHARACTERIZATION OF A WEB PROXY IN A CABLE MODEM ENVIRONMENT, *Performance Evaluation Review*, vol. 27, no. 2, pp. 25-36.
- _____ A2. Barger, David; Gupta, Anoop; Grudin, Jonathan; and Sanocki, Elizabeth; ANNOTATIONS FOR STREAMING VIDEO ON THE WEB: SYSTEM DESIGN AND USAGE STUDIES, *Computer Networks* 31, (1999), pp. 1139-1153

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXPRESS MAIL LABEL NO.: EL 569 074 562 US

Form PTO-1449

Sheet 2 of 2

Applicant: J. Rob Bowers

Serial No.: 09/896,733

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AGGREGATION OF STREAMING MEDIA TO IMPROVE NETWORK
PERFORMANCE



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References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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